



5/26/04

MESSAGES FROM THE HOUSE

SB 977 (Gilbert)

SB 977 would penalize a person for failing to report release of any polluting material to the surface or groundwater of the state. The bill requires that failure to report a release to the department or to the primary public safety answering point can result in a civil fine of up to \$2,500. Failure to report a release to the local health department can result in a civil fine of up to \$500.

The House dramatically modified the bill. The bill was split into two pieces, the majority of the regulation was put into HB 5586 (Acciavatti) and the penalty language was revised and left in SB 977.

- The Senate concurred with the House changes to SB 977 [RC 324: 36 yes, 0 no]. IE was given to the bill.

FINAL PASSAGE

HB 4344 (WOJNO)

HB 4344 would allow the City of Warren (and other eligible cities) to create a single downtown development district composed of non-contiguous areas when the city is interrupted by another city. The bill would allow a single authority to capture taxes in more than one area to promote economic development. The bill is limited in scope and would likely only apply to the City of Warren. Other communities might benefit from having a downtown development district composed of non-contiguous areas to promote economic development and job creation.

- HB 4344 passed with IE [RC 326: 38 yes, 0 no].

HB 5381 (LaSata)

HB 5381 would specify procedures for filing a judgment lien. Judgment Lien would mean an encumbrance in favor of a judgment creditor against a judgment debtor's interest in real property. This is a lien on the property of a debtor resulting from the decree of a court resulting from a lawsuit. A judgment lien under this bill would not allow foreclosure of the property and would not attach to an interest in real property owned as tenants by the entirety unless the underlying judgment was entered against both the husband and the wife. This bill would implement a policy that currently takes place in 44 other states. It is more favorable to judgment debtors as compared to Michigan current law and does not allow foreclosure of the property.

- HB 5381 passed with IE [RC 328: 36 yes, 2 no (Brown, Patterson)].

HB 5491 (Wenke)

HB 5491 would allow the portion of highway I-94 in Calhoun County between exits 98 and 110 to be known as the “Underground Memorial Highway”.

- HB 5491 passed with IE [RC 327: 38 yes, 0 no].

HB 5586 (Acciavatti)

HB 5586 would require the person responsible for releasing any polluting material to the surface or groundwater of the state to report the release immediately to the DEQ and to call 911. The 911 call will facilitate the information being shared with each public safety answering point serving the jurisdiction.

This bill is essentially the same as SB 977 which was previously passed by the Senate with a vote of 37-0. Two changes have been made. The first change requires the emergency management coordinator to consult with the directors of the primary public safety answering points and the House added language to require the coordinator to also consult with any emergency management coordinator appointed for cities, villages, or townships in that county. The second change was requested by the administration. There is an enacting section added to the end of the bill which changes the date from 2004 to 2006 for the recalculation of specific tax and state payment being made for timber cutover lands. This change is related to the budget enabling legislation on the Commercial Forest Tax.

Support: MI Environmental Council, MI Township Association, MI Association of Counties, DEQ, MI Municipal League, MI Forest Products Council.

Oppose: MI Manufacturers Association.

- HB 5586 passed with IE [RC 330: 38 yes, 0 no].

HB 5589 (Sheen)

HB 5589 would require a child protective service worker to identify herself or himself when contacting an individual under investigation for alleged child abuse. The person under investigation would also have to be informed of the existence of a child abuse allegation against them. Currently, there have allegedly been FIA investigations where the accused parent was not aware of the child abuse allegations until the child is removed from the home.

- HB 5589 passed with IE [RC 329: 38 yes, 0 no].

HB 5671 (Hune)

HB 5671 require that property owners residing within 300 feet of an area proposed for annexation be notified of public hearings.

- HB 5671 passed with IE [RC 325: 38 yes, 0 no].

THIRD READING

SB 908 (Jelinek)

SB 908 would allow a practitioner to dispense a prescription for a controlled substance written and signed by a physician licensed to practice in Illinois. Under the Public Health Code, a practitioner (e.g., a pharmacist) may not dispense a prescription for a controlled substance written by a physician licensed to practice in another state, unless the prescription is issued by a physician who resides adjacent to the land border between Michigan and an adjoining state, whose practice may extend into Michigan, but who does not maintain an office in Michigan. Apparently, many people from Illinois visit Michigan, particularly the southwestern part of the State, for extended time periods and are inconvenienced by the inability to have prescriptions written in Illinois filled in Michigan. It has been suggested that the exception for the out-of-state prescriptions be extended to those written by a licensed physician residing in Illinois.

Support: MI State Medical Society, MI Pharmacist Assn.

- SB 908 was moved to 3rd Reading. No amendments.

SB 1191 (Patterson)

SB 1191 would add physician's assistants and nurse practitioners to the individuals listed in the schedule of fees for people licensed or seeking licensure for a boxing or wrestling contest. A physician's assistant or nurse practitioner would have to pay the same license fee as a judge, physician, announcer, or timekeeper. The fee is \$30 through September 30, 2007, and will be \$15 after that date. A physician's assistant or nurse practitioner also would be subject to an application processing fee of \$30 through September 30, 2007, or \$15 after that date. This fee applies to the other boxing or wrestling contest personnel except boxers (who pay a higher application fee).

Support: MI Nurses Assn.

Oppose: MI State Medical Society.

- SB 1191 was moved to 3rd Reading. No amendments.

HB 4127 (DANIELS)

HB 4127 would prevent auto insurance companies and their employees, agents, and adjusters from unreasonably restricting a policyholder's choice in automobile and auto glass repair facilities or replacement service or product covered under the policy.

Support: Office of Financial and Insurance Services, AAA, Michigan Glass Association, Insurance Institute of Michigan, National Federation of Independent Businesses , Auto One Auto Glass , Michigan Insurance Coalition, Allstate.

- Committee 1 (3 amends) was adopted.
- HB 4127 was moved to 3rd Reading.